

Translation

PATENT COOPERATION TREATY

PCT/JP2003/016002



# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MY-1506-PCT	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/JP2003/016002	International filing date (day/month/year) 12 December 2003 (12.12.2003)	Priority date (day/month/year) 31 January 2003 (31.01.2003)
International Patent Classification (IPC) or national classification and IPC F16C 11/04, 11/10, H05K 5/02, H04M 1/02		
Applicant KABUSHIKI KAISHA STRAWBERRY CORPORATION		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (sent to the applicant and to the International Bureau) a total of 14 sheets, as follows:
    - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
  - ☒ Box No. I Basis of the report
  - ☐ Box No. II Priority
  - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Box No. IV Lack of unity of invention
  - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Box No. VI Certain documents cited
  - ☐ Box No. VII Certain defects in the international application
  - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 15 June 2004 (15.06.2004)	Date of completion of this report 15 October 2004 (15.10.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/016002

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ The international application as originally filed/furnished
- ☒ the description:
- pages \_\_\_\_\_ 5-7, 11, 12, 18-20, 22-45 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ 1, 4, 8, 10, 13, 17, 21 \_\_\_\_\_ received by this Authority on \_\_\_\_\_ 22 September 2004 (22.09.2004)
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_ 6, 7, 13, 14, 19, 20 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19
- pages\* \_\_\_\_\_ 8, 9, 21, 22 \_\_\_\_\_ received by this Authority on \_\_\_\_\_ 22 September 2004 (22.09.2004)
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages \_\_\_\_\_ 1-32 \_\_\_\_\_, as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages \_\_\_\_\_ 2, 3, 9, 14-16 \_\_\_\_\_
- ☒ the claims, Nos. \_\_\_\_\_ 1-5, 10-12, 15-18 \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP03/16002

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)

Claims

6-9, 13, 14, 19-22

YES

Claims

NO

Inventive step (IS)

Claims

6-9, 13, 14, 19-22

YES

Claims

NO

Industrial applicability (IA)

Claims

6-9, 13, 14, 19-22

YES

Claims

NO

## 2. Citations and explanations (Rule 70.7)

Claims 6-9, 13, 14 and 19-22

None of the documents cited in the ISR describes the constitution of a hinge device, in which a cam portion biased by a pivotally revolving and biasing body and a cam engaging portion are jointly pivotally revolved without being disengaged while they are kept engaged with each other. This constitution is not considered to be obvious to a person skilled in the art either.

# 第Ⅳ欄 (iv) 発明者である旨の申立て (米国を指定国とする場合)

申立ては実施規則第 214 号に規定する以下の標準文言を使用して作成しなければならない。第Ⅳ欄と同欄(i)～(v)の備考の総論部分、及び本頁に特有の事項について第Ⅳ欄(v)の備考を参照。この欄を使用しないときは、この用紙を願書に含めないこと。

## 発明者である旨の申立て (規則 4.17(iv)及び 51 の 2.1(a)(iv)) (米国を指定国とする場合)

私は、特許請求の範囲に記載され、かつ特許が求められている対象に関して、自らが最初、最先かつ唯一の発明者である (発明者が 1 名しか記載されていない場合) か、あるいは共同発明者である (複数の発明者が記載されている場合) と信じていることを、ここに申し立てる。

本申立ては、本書がその一部をなす国際出願を対象としたものである (出願時に申立てを提出する場合)。

本申立ては、国際出願 PCT/\_\_\_\_\_を対象としたものである (規則 26 の 3 に従って申立てを提出する場合)。

私は、特許請求の範囲を含め、上記国際出願を検討し、かつ内容を理解していることを、ここに表明する。私は、PCT 規則 4.10 の規定に従い、上記出願の願書において主張する優先権を特定し、かつ、「先の出願」という見出しの下に、出願番号、国名又は世界貿易機関の加盟国名、出願日、出願月、出願年を記載することで、米国以外の少なくとも一国を指定している PCT 国際出願を含め、優先権を主張する本出願の出願日より前の出願日を有する、米国以外の国で出願された特許又は発明証の出願をすべて特定している。

先の出願:

私は、連邦規則法典第 37 編規則 1.56 (37 C.F.R. § 1.56) に定義された特許性に関し重要であると知った情報について開示義務があることを、ここに承認する。さらに、一部継続出願である場合、先の出願の日から一部継続出願の PCT 国際出願日までの間に入手可能になった重要な情報について開示義務があることを承認する。

私は、表明された私自身の知識に基づき陳述が真実であり、かつ情報と信念に関する陳述が真実であると信じることをここに申し立てる。さらに、故意に虚偽の陳述などを行った場合は、米国法典第 18 編第 1001 条に基づき、罰金、拘禁、又はその両方により処罰され、またそのような故意による虚偽の陳述は、本出願又はそれに対して与えられるいかなる特許についても、その有効性を危うくすることを理解した上で陳述が行われたことを、ここに申し立てる。

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(国際出願の願書に発明者の署名がない場合や、規則 26 の 3 に基づいて国際出願の出願後に申立ての補充や追加がなされた場合。署名は代理人ではなく、発明者のものでなければならない。)

日付: 10.12.03

(国際出願の願書に発明者の署名がない場合や、規則 26 の 3 に基づいて国際出願の出願後に申立ての補充や追加がなされた場合)

氏名: \_\_\_\_\_

住所: \_\_\_\_\_

(都市名、米国の州名 (該当する場合) 又は国名)

郵便のあて名: \_\_\_\_\_

国籍: \_\_\_\_\_

発明者の署名: \_\_\_\_\_

(国際出願の願書に発明者の署名がない場合や、規則 26 の 3 に基づいて国際出願の出願後に申立ての補充や追加がなされた場合。署名は代理人ではなく、発明者のものでなければならない。)

日付: \_\_\_\_\_

(国際出願の願書に発明者の署名がない場合や、規則 26 の 3 に基づいて国際出願の出願後に申立ての補充や追加がなされた場合)

☐ この申立ての続葉として「第Ⅳ欄(iv)の続き」がある